

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

CC: 06-122

In the Matter of)

Heller Information Services, Inc.)

USAC Filer ID No. 825704

Request for Review of the Universal Service)

Administrative Company's Rejection of a)

Revised FCC Form 499-A for FY-2003)

FILED/ACCEPTED

JUL 31 2007

Federal Communications Commission
Office of the Secretary

CONTINGENT PETITION FOR REVIEW

Heller Information Services, Inc. ("Heller"), by its attorney and pursuant to Section 54.719(c) of the FCC Rules, 47 C.F.R. § 54.719(c), respectfully seeks Commission review of an action by the Universal Service Administrative Company ("USAC") rejecting Heller's revised FCC Form 499-A for Fiscal Year 2003.

A. INTRODUCTION

1. Heller is an internet service provider based in Rockville, Maryland, offering a variety of internet access services (dial-up, ISDN, DSL, dedicated T-1, etc.). On February 13, 2006, Heller submitted to USAC its FCC Form 499-A worksheets for FY-2003 ("*Initial 2003 Report*")¹ with the intention of reporting revenue attributable solely to its DSL-related internet access services. On or about May 23, 2006, Heller submitted revised worksheets ("*Corrected 2003 Report*")² correcting inadvertent but nonetheless substantial errors and inaccuracies in the initial filing. USAC refused to accept and process the *Corrected 2003 Report* on the grounds that it was not submitted within a one year revision period prescribed by the Commission.³ Heller demonstrates herein that the *Corrected 2003 Report* is not barred by the one year limitation or, in the alternative, that the limitation should be waived. Heller thus seeks an order directing USAC to accept and process the *Corrected 2003 Report*, subject to the contingency discussed in the following paragraph.

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List ABCDE

¹ Attachment No. 1.

² Attachment No. 2.

³ *Federal-State Joint Board on Universal Service; 1998 Biennial Regulatory Review*, CC Docket No. 96-45, Order, 20 FCC Rcd 1012 (WCB 2004).

B. USF CONTRIBUTION AND REPORTING INAPPLICABLE TO HELLER

2. Although it had never previously made any USAC filings or direct universal service fund (“USF”) contributions, in early 2006 Heller submitted the *Initial 2003 Report* because it had been advised that its DLS internet access service offering were subject to such obligations. This advice was, as it turns out, incorrect.

3. Heller is not a facilities-based provider of transport services or transmission capacity. Heller does not own any transport infrastructure, but rather leases from unaffiliated telecommunications service providers such capacity as it requires for its internet access services. All of the Heller service offerings, including the DSL access services specifically relevant to the above-captioned matter, are therefore properly classified as “information services” for regulatory purposes. *Broadband Access to the Internet over Wireline Facilities*, CC Docket No. 02-33, *Report and Order and Notice of Proposed Rulemaking*, 20 FCC Rcd 14853, 14892-14893 (2005), *review pending sub nom.*, *Time Warner Telecommunications v. FCC*, No. 05-4769 (and consolidated cases) (3rd Cir., filed Oct. 26, 2005) Heller thus not subject to direct USF contribution obligations or USAC reporting requirements—rather, it contributes indirectly to the USF through the federal surcharges included in the lease fees and service rates it pays to the facilities based telecommunications service providers. *Id.*

4. Neither the *Initial 2003 Report* nor the *Corrected 2003 Report* should have been filed, and Heller will be taking appropriate steps to withdraw them. The relief requested herein (i.e., review and reversal of USAC’s rejection of the *Corrected 2003 Report*) is thus contingent and is requested out of an abundance of caution only to the extent that (a) the FCC disagrees Heller’s assessment of the regulatory classification of its services, and/or (b) Heller is unable to successfully withdraw the previously submitted USAC reports.⁴

⁴ Pursuant to Section 5(d) of the Administrative Procedure Act, 5 U.S.C. § 554(e), and Section 1.2 of the FCC Rules, 47 C.F.R. § 1.2, we respectfully ask the Commission to remove any doubt by affirmatively declaring that Heller’s internet access services are “information services,” not subject to direct USF contribution or reporting obligations.

C. FACTUAL AND PROCEDURAL BACKGROUND

5. In early 2006, Heller was contacted by a representative of Verizon, which had recently assumed from MCI WorldCom the provisioning of Heller's DSL lines. The call was fielded by a former Heller bookkeeper, who was advised (or at least understood) that Heller was being presented with two options regarding the DSL lines: (a) incur a substantial increase in the lease rates, or (b) file its own reports directly with USAC and make its own USF contributions. Thinking this to be primarily a bookkeeping/accounting matter—the preparation and submission of financial reports keyed to service revenue—it was referred to Heller's accountant, Moses Alade, C.P.A. ("Alade").

6. When asked to prepare the necessary USAC filing, Alade obtained the reporting forms and procedures from the USAC web site. Having been told that Heller's DSL services were subject USF contribution and reporting obligations, and concerned about possible liability for past failure to comply, Alade advised Heller to submit to USAC a current report (i.e., the one most recently due) plus a report for the preceding two fiscal years. It was in this context that, on February 13, 2006, Heller submitted the *Initial 2003 Report*.

7. Soon afterward Heller noticed the following inaccuracies and errors:

- (a) Incorrect DSL Revenue Figure. As previously explained, Heller's purpose and intention in making the USAC filing was to report its revenues attributable to DSL internet access service which it was incorrectly assumed were subject to USF obligations. Not having accounting information that allowed her to allocate revenue to different types of internet access service, Heller's bookkeeper erroneously assumed that roughly one-third of gross revenue was attributable to DLS services. Based on a gross revenue figure of \$1,281,153 for FY-2003, she advised Alade that one-third of that amount (\$427,051) was attributable to DSL services, and this was the figure Alade entered it in the FCC Form 499-A at Item 406: "local private line and special access service." The actual FY-2003 DSL revenue was only \$94,471.⁵ Thus, the DSL revenue figure in the *Initial 2003 Report* was overstated by more than 450%.
- (b) Erroneous Entry for Long Distance Revenue. The remaining balance of two-thirds of the FY-2003 (\$854,102) was reported in the FCC Form 499-A at Item 415: "long distance private line services." This was a clerical error. Heller does not provide any long distance or private line services. The balance of revenue not attributable to DSL service should, therefore, have been reported at Item 418, not Item 415.

⁵ In earlier years one-third of gross revenue for DSL may have closer to actual revenue, but the percentage of DLS subscribers has declined in recent years with the emergence of alternative modes of high speed internet access. Heller stopped offering new DSL service in 2004, and since then has seen its revenues drop considerably as the existing DSL subscribers migrate to other modes. Heller's 2005 DSL-related revenue was only \$65,918, and it will continue to decline.

- (c) Incorrect Universal Service Base Amount. The gross FY-2003 revenue figure of \$1,281,152 was reported at Item 419: "gross billed revenues from all sources," Item 420: "universal service contribution base amount," and Item 423: "net universal service contribution base amount." This is overstated due to a combination of the erroneous attribution of one-third of the revenue to DLS services reported at Item 406, and the misplacement of the balance at Item 415. Had the accurate DSL revenue figure been reported at Item 406, and the balance of the revenue correctly reported at Item 418, the base amount would have been only of \$94,471. The *Initial 2003 Report* thus overstated the USF contribution base amount *by more than one million dollars* (\$1,000,000).

8. On or about May 23, 2006, Heller submitted the *Corrected 2003 Report*), in which:

(a) the FY-2003 gross revenue figure (\$1,281,152) is reported at Item 419; (b) the accurate portion of that attributable to DSL revenue (\$94,471) is reported at Item 406, (b) the balance (\$1,281,152) is reported at of FY-2003 gross revenue) is reported at Item 419; and (c) the resulting accurate universal service contribution base amount (\$94,471) is thus reported at Items 420 and 423.

9. On June 9, 2006, USAC issued a letter rejecting the *Corrected 2003 Report*, stating:

"[W]e are unable to accept the revision because it was not filed within one year of the original submission."⁶ Heller submitted a timely appeal of this ruling on August 8, 2006, explaining that the *Initial 2003 Report* had been based on an inaccurate allocation of revenue figures.⁷ USAC denied the appeal by a letter ruling dated May 21, 2007.⁸ USAC ruled that the deadline for submitting any revisions to an FCC Form 499-A filing for FY-2003 was January 10, 2006, making Heller's May 23, 2006, submission of the *Corrected 2003 Report* untimely. Upon USAC's denial of the letter appeal, Heller retained special regulatory counsel to seek Commission review or other appropriate relief.

C. TIMELINESS OF THE *CORRECTED 2003 REPORT*

10. In refusing to accept and process the *Corrected 2003 Report*, USAC pointed to the one year firm deadline for submitting upward revisions (i.e., changes that would result in a decreased USF contribution) adopted by the Commission in 2005. *Federal-State Joint Board on Universal Service; 1998 Biennial Regulatory Review*, CC Docket No. 96-45, Order, 20 FCC Rcd 1012 (WCB 2004) ("*Form 499-A Revision Order*"). The strict application of the one year limitation in this particular situation would not be

⁶ Attachment No. 3.

⁷ Attachment No. 4.

⁸ Attachment No. 5.

proper. The *Form 499-A Revision Order* contemplates filers having a full 12 month period in which to discover and correct errors in their submitted worksheets. Heller submitted its corrections approximately three months after the initial submission.

11. The *Initial 2003 Report* was Heller's first Form 499-A filing ever, and it was unfamiliar with the procedures. It was, to be sure, being late-filed, well after the applicable deadline, but this was understandable and justifiable for the reasons already discussed in the preceding sections of this pleading. Moreover, precisely because of a desire to get the report on file as soon as possible, it was prepared quickly which increased the likelihood of errors. The Commission presumably desires that filers correct any failure to make timely submissions as soon as possible upon discovery. But a policy that would deny the filer any opportunity to correct errors would be a disincentive to prompt correction.

12. The underlying purpose of the one year deadline is to will promote "administrative efficiency and certainty for the contribution systems for universal service" and to "ensure the stability and sufficiency of the federal universal service fund." *Form 499-A Revision Order*, 20 FCC Rcd 1012 (WCB 2004). Under normal circumstances, *i.e.*, when the initial annual report is submitted by the April 1 deadline, USF funds will have been collected prior to the expiration of the one year revision period. Adjustments after funds have already been collected, and possibly even disbursed, can be problematic. In the unique circumstances of this case, however, the timing is such that Heller's revision was tendered just three months after the initial filing, and prior to the contribution or disbursement of any funds based on the report. Acceptance of the Heller's *Corrected 2003 Report*, therefore, would not adversely affect the efficiency, certainty, stability, or sufficiency of the fund.

13. It is respectfully submitted, therefore, that the Commission did not, in adopting a one year deadline for revising Form 499-A filings, intend to foreclose any and all opportunity to correct a late-filed report. Perhaps an entire year is not warranted, but the roughly 100 day interval between Heller's *Corrected 2003 Report* and its *Corrected 2003 Report*, being less than one-third of the standard 12 month revision period, was not unreasonably long.

14. Assuming the one year revision deadline does technically apply, it should nonetheless be waived in these circumstances. First, the arguments advanced in the preceding paragraphs for the inapplicability of the deadline also support a waiver. In addition, the magnitude of the error is so great that equitable relief is dictated. While the correct gross revenue figure was reported, the amount subject to USF contribution and annual regulatory fees was overstated by more than one million dollars due simply to the clerical error of reporting the figure on the wrong line of the form. If held to the erroneous report, the impact in terms of USF fees, regulatory fees, and any delinquency penalties would be devastating for Heller, a very small business. The Commission is therefore urged to rule either that the *Corrected 2003 Report* was timely or to waive the one-year limitation.

WHEREFORE, in consideration of the foregoing, it is requested that the Commission declare that Heller's non-facilities-based provision of internet access services constitutes "information service" and not subject to direct USF contribution or USAC reporting requirements. Alternatively, it is requested that the Commission review and reverse the action of USAC rejecting Heller's *Corrected 2003 Report* as untimely, and (based either on a determination that the one-year time limit for revisions is inapplicable or on a waiver of it) direct USAC to accept and process the corrected report. Finally, it is requested that the Commission direct both USAC (with respect to USF contributions) and other appropriate Commission staff or contractors (with respect to regulatory fees) to correct information in their databases to conform with this ruling.

Respectfully submitted,

HELLER INFORMATION SERVICES, INC.



By: Robert J. Keller, Its Attorney

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Facsimile: 202-223-2121
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Washington, D.C. 20033-0428

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04 FCC Form 499-A Telecommunications Reporting Worksheet

Approval by OMB
3060-0855

>>> Please read instructions before completing. <<<
Annual Filing -- due April 1.

Block 1: Contributor Identification Information

During the year, carriers must refile Blocks 1, 2 and 6 if there are any changes in Lines 104 or 112. See Instructions.

01 Filer 499 ID [If you don't know your number, contact the administrator at (973)-560-4460.

If you are a new filer, write "new" in this block and a Filer 499 ID will be assigned to you.]

NEW

02 Legal name of reporting entity

HELLER INFORMATION SERVICES, INC.

03 IRS employer identification number

52-1617802

04 Name telecommunications service provider is doing business as

HELLER INFORMATION SERVICES, INC.

05 Telecommunications activities of filer [Select up to 5 boxes that best describe the reporting entity. Enter numbers starting with "1" to show the order of importance -- see directions.]

- | | | | |
|---|--|--|--|
| <input type="checkbox"/> All Distance | <input type="checkbox"/> CAP/CLEC | <input type="checkbox"/> Cellular/PCS/SMR (wireless telephony incl. by resale) | <input type="checkbox"/> Coaxial Cable |
| <input type="checkbox"/> Incumbent LEC | <input type="checkbox"/> Interexchange Carrier (IXC) | <input type="checkbox"/> Local Reseller | <input type="checkbox"/> Operator Service Provider (OSP) |
| <input type="checkbox"/> Payphone Service Provider | <input type="checkbox"/> Prepaid Card | <input type="checkbox"/> Private Service Provider | <input type="checkbox"/> Paging & Messaging |
| <input type="checkbox"/> Shared-Tenant Service Provider / Building LEC | <input type="checkbox"/> SMR (dispatch) | <input type="checkbox"/> Toll Reseller | <input type="checkbox"/> Satellite Service Provider |
| If Other Local, Other Mobile or Other Toll is checked, describe carrier type / services provided: --> | | <input type="checkbox"/> Other Local | <input type="checkbox"/> Other Mobile |
| | | <input type="checkbox"/> Other Toll | |

06 a. Holding company name (All affiliated companies must show the same name on this line.)

N/A

06 b. Holding company IRS employer identification number

N/A

07 FCC Registration Number (FRN) [<https://svarifoss2.fcc.gov/cores/CoresHome.html>]
[For assistance, contact the CORES help desk at 877-480-3201 or CORES@fcc.gov]

08 Management company [if carrier is managed by another entity]

N/A

09 Complete mailing address of reporting entity
corporate headquarters

30 WEST GUDE ROAD, STE 220
ROCKVILLE, MD 20850

10 Complete business address for customer inquiries and complaints
[if different from address entered on Line 109]

SAME

11 Telephone number for customer complaints and inquiries [Toll-free number if available]

(301) 255-0500

12 All trade names that you have used in the past 3 years in providing telecommunications.
This should include all names by which you are identified on customer bills.

a. HELLER INFORMATION SERVICES, INC.

b.

c.

d.

e.

f.

g
h
i
j
k
l
m

Use an additional sheet if necessary. Each reporting entity must provide all names used for carrier activities.

PERSONS MAKING WILLFUL FALSE STATEMENTS IN THE WORKSHEET CAN BE PUNISHED BY FINE OR IMPRISONMENT UNDER TITLE 18 OF THE UNITED STATES CODE, 18 U.S.C. §1001

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Block 2-A: Regulatory Contact Information

1 Filer 499 ID [from Line 101]	NEW
2 Legal name of reporting entity [from Line 102]	HELLER INFORMATION SERVICES, INC.
3 Person who completed this Worksheet	MOSES ALADE, CPA
4 Telephone number of this person	(301) 497-9973
5 Fax number of this person	(301) 497-9974
6 E-mail of this person	mosesa@mosesalade.com
7 Corporate office, attn. name, and mailing address to which future Telecommunications Reporting Worksheets should be sent	PAUL HELLER 30 WEST GUDE DRIVE ROCKVILLE, MD 20850
8 Billing address and billing contact person: [Plan administrators will send bills for contributions to this address. Please attach a written request for alternative billing arrangements.]	PAUL HELLER 30 WEST GUDE DRIVE ROCKVILLE, MD 20850

Block 2-B: Agent for Service of Process

All carriers must complete Lines 209 through 213.

During the year, carriers must refile Blocks 1, 2 and 6 if there are any changes in this section. See Instructions.

9 D.C. Agent for Service of Process per 47 U.S.C. §413	
10 Telephone number of D.C. agent	
11 Fax number of D.C. agent	
12 E-mail of D.C. agent	
13 Complete business address of D.C. agent for hand service of documents	
14 Local/alternate Agent for Service of Process (optional)	MOSES ALADE, CPA
15 Telephone number of local/alternate agent	(301) 497-9973
16 Fax number of local/alternate agent	(301) 497-9974
17 E-mail of local/alternate agent	mosesa@mosesalade.com
18 Complete business address of local/alternate agent for hand service of documents	312 MARSHALL AVE, STE 1010 LAUREL, MD 20707

PERSONS MAKING WILLFUL FALSE STATEMENTS IN THE WORKSHEET CAN BE PUNISHED BY FINE OR IMPRISONMENT UNDER TITLE 18 OF THE UNITED STATES CODE, 18 U.S.C. §1001

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Block 2-C: FCC Registration and Contact Information

Carriers must refile Blocks 1, 2 and 6
if there are any changes in this section. See Instructions.

219 Filer 499 ID [from Line 101]	NEW
220 Legal name of reporting entity [from Line 102]	HELLER INFORMATION SERVICES, INC.
221 Chief Executive Officer (or, highest ranking company officer if the filing entity does not have a chief executive officer)	PAUL HELLER
222 Business address of individual named on Line 221	check if same as Line 109 <input checked="" type="checkbox"/>
223 Second ranking company officer, such as Chairman (Must be someone other than the individual listed on Line 221)	DIANE HELLER
224 Business address of individual named on Line 223	check if same as Line 109 <input checked="" type="checkbox"/>
225 Third ranking company officer, such as President or Secretary (Must be someone other than individuals listed on Lines 221 or 223)	HEATHER HELLER
226 Business address of individual named on Line 225	check if same as Line 109 <input checked="" type="checkbox"/>
27 Indicate jurisdictions in which the filing entity provides telecommunications service. Include jurisdictions in which telecommunications service was provided in the past 15 months and jurisdictions in which telecommunications service is likely to be provided in the next 12 months.	
<input type="checkbox"/> Alabama <input type="checkbox"/> Alaska <input type="checkbox"/> American Samoa <input type="checkbox"/> Arizona <input type="checkbox"/> Arkansas <input type="checkbox"/> California <input type="checkbox"/> Colorado <input type="checkbox"/> Connecticut <input type="checkbox"/> Delaware <input checked="" type="checkbox"/> District of Columbia <input type="checkbox"/> Florida <input type="checkbox"/> Georgia	<input type="checkbox"/> Guam <input type="checkbox"/> Hawaii <input type="checkbox"/> Idaho <input type="checkbox"/> Illinois <input type="checkbox"/> Indiana <input type="checkbox"/> Iowa <input type="checkbox"/> Johnston Atoll <input type="checkbox"/> Kansas <input type="checkbox"/> Kentucky <input type="checkbox"/> Louisiana <input checked="" type="checkbox"/> Maine <input type="checkbox"/> Maryland
<input type="checkbox"/> Massachusetts <input type="checkbox"/> Michigan <input type="checkbox"/> Midway Atoll <input type="checkbox"/> Minnesota <input type="checkbox"/> Mississippi <input type="checkbox"/> Missouri <input type="checkbox"/> Montana <input type="checkbox"/> Nebraska <input type="checkbox"/> Nevada <input type="checkbox"/> New Hampshire <input type="checkbox"/> New Jersey <input type="checkbox"/> New Mexico	<input type="checkbox"/> New York <input type="checkbox"/> North Carolina <input type="checkbox"/> North Dakota <input type="checkbox"/> Northern Mariana Islands <input type="checkbox"/> Ohio <input type="checkbox"/> Oklahoma <input type="checkbox"/> Oregon <input type="checkbox"/> Pennsylvania <input type="checkbox"/> Puerto Rico <input type="checkbox"/> Rhode Island <input type="checkbox"/> South Carolina <input type="checkbox"/> South Dakota
<input type="checkbox"/> Tennessee <input type="checkbox"/> Texas <input type="checkbox"/> Utah <input type="checkbox"/> U.S. Virgin Islands <input type="checkbox"/> Vermont <input checked="" type="checkbox"/> Virginia <input type="checkbox"/> Wake Island <input type="checkbox"/> Washington <input type="checkbox"/> West Virginia <input type="checkbox"/> Wisconsin <input type="checkbox"/> Wyoming	

PERSONS MAKING WILLFUL FALSE STATEMENTS IN THE WORKSHEET CAN BE PUNISHED BY FINE OR IMPRISONMENT UNDER TITLE 18 OF THE UNITED STATES CODE, 18 U.S.C. §1001

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301 Filer 499 ID [from Line 101]

102 Legal name of reporting entity [from Line 102]

Do not report any negative numbers. Dollar amounts may be rounded to the nearest thousand dollars. However, report all amounts as whole dollars.

See instructions regarding percent interstate & international.

Revenues from Services Provided for Resale by Other Contributors to General Universal Service Support Mechanisms

fixed local service

03 Monthly service, local calling, connection charges, vertical features, and other local exchange service including subscriber line and PCCC charges to IXCs

a Provided as unbundled network elements (UNEs)

b Provided under other arrangements

04 Per-minute charges for originating or terminating calls

a Provided under state or federal access tariff

b Provided as unbundled network elements or other contract arrangement

05 Local private line & special access service

06 Payphone compensation from toll carriers

07 Other local telecommunications service revenues

08 Universal service support revenues received from Federal or state sources

mobile services (including wireless telephony, paging & messaging, and other mobile services)

09 Monthly, activation, and message charges except toll

Self services

0 Operator and toll calls with alternative billing arrangements (credit card, collect, international call-back, etc.)

1 Ordinary long distance (direct-dialed MTS, customer toll-free (800/888 etc.) service, "10-10" calls, associated monthly account maintenance, PCCC pass-through, and other switched services not reported above)

2 Long distance private line services

3 Satellite services

4 All other long distance services

PERSONS MAKING WILLFUL FALSE STATEMENTS IN THE WORKSHEET CAN BE PUNISHED BY FINE OR IMPRISONMENT UNDER TITLE 18 OF THE UNITED STATES CODE, 18 U.S.C. §1001

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4 FCC Form 499-A Telecommunications Reporting Worksheet

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4-A: End-User and Non-Telecommunications Revenue Information

1 Filer 499 ID [from Line 101]

2 Legal name of reporting entity [from Line 102]

Report billed revenues for January 1 through December 31, 2003.

Do not report any negative numbers. Dollar amounts may be rounded to the nearest thousand dollars. However, report all amounts as whole dollars. See instructions regarding percent interstate & international.

Revenues from All Other Sources (end-user telecom. & non-telecom.)

3 Surcharges or other amounts on bills identified as recovering State or Federal universal service contributions

Local services

4 Monthly service, local calling, connection charges, vertical features, and other local exchange service charges except for federally tariffed subscriber line charges and PICC charges

a Provided at a flat rate including interstate toll service

b Provided without interstate toll included (see instructions)

5 PICC charges levied by a local exchange carrier on a no-PICC customer and tariffed subscriber line charges

6 Local private line and special access service

7 Payphone coin revenues (local and long distance)

8 Other local telecommunications service revenues

Mobile services (including wireless telephony, paging, & messaging, and other mobile services)

9 Monthly and activation charges

10 Message charges including roaming, but excluding toll charges

Other services

11 Prepaid calling card (including card sales to customers and non-carrier distributors) reported at face value of cards

12 International calls that both originate and terminate in foreign points

13 Operator and toll calls with alternative billing arrangements (credit card, collect, international call-back, etc.) other than revenues reported on Line 412

14 Ordinary long distance (direct-dialed MTS, customer toll-free (800/888 etc.) service, "10-10" calls, associated monthly account maintenance, PICC pass-through, and other switched services not reported above)

15 Long distance private line services

16 Satellite services

17 All other long distance services

Revenues other than U.S. telecommunications revenues.

Information services, inside wiring maintenance, billing and collection customer premises equipment, published directory, dark fiber, Internet access, cable TV program transmission, foreign carrier operations, and non-telecommunications revenues (See instructions.)

NEW

HELLER INFORMATION SERVICES, INC.

Total
Revenues

(a)

If breakouts are not book
amounts, enter whole
percentage estimates

Interstate

(b)

International

(c)

Breakouts

Interstate
Revenues

(d)

International
Revenues

(e)

PERSONS MAKING WILLFUL FALSE STATEMENTS IN THE WORKSHEET CAN BE PUNISHED BY FINE OR IMPRISONMENT UNDER TITLE 18 OF THE UNITED STATES CODE, 18 U.S.C. §1001

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9	Gross billed revenues from all sources (incl. reseller & non-telecom.) [Lines 303 through 314 plus Lines 403 through 418]	Total Revenues (a)				Breakouts	
						Interstate Revenues (d)	International Revenues (e)
0	Universal service contribution base amounts [Lines 403 through 411 & Lines 413 through 417] See Figure 4 in instructions.	\$1,281,152				\$1,281,152	\$0
1	Uncollectible revenue/bad debt expense associated with gross billed revenues amounts shown on Line 419	\$0				\$0	\$0
2	Uncollectible revenue/bad debt expense associated with universal service contribution base amounts shown on Line 420	\$0				\$0	\$0
3	Net universal service contribution base revenues [Line 420 minus line 422]	\$1,281,152				\$1,281,152	\$0

NEW
HELLER INFORMATION SERVICES, INC.

1. Filer 499 ID [from Line 101]
2. Legal name of reporting entity [from Line 102]
3. Filers must contribute to LNP administration and must provide the percentages requested in Lines 503 through 510.
eng entities that use Line 603 to certify that they are exempt from this requirement need not provide this information.
Percentage of revenues reported in Block 3 and Block 4 billed in each region of the country. Round or
estimate to nearest whole percentage. Enter 0 if no service was provided in the region.

Block 3 Carrier's (a)	Block 4 End-User Telecom. (b)
3 Southeast: Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, Puerto Rico, South Carolina, Tennessee, and U.S. Virgin Islands	%
4 Western: Alaska, Arizona, Colorado, Idaho, Iowa, Minnesota, Montana, Nebraska, New Mexico, North Dakota, Oregon, South Dakota, Utah, Washington, and Wyoming	%
5 West Coast: California, Hawaii, Nevada, American Samoa, Guam, Johnston Atoll, Midway Atoll, Northern Mariana Islands, and Wake Island	%
6 Mid-Atlantic: Delaware, District of Columbia, Maryland, New Jersey, Pennsylvania, Virginia, and West Virginia	0 %
7 Mid-West: Illinois, Indiana, Michigan, Ohio, and Wisconsin	%
8 Northeast: Connecticut, Maine, Massachusetts, New Hampshire, New York, Rhode Island, and Vermont	%
9 Southwest: Arkansas, Kansas, Missouri, Oklahoma, and Texas	%
0 Total	100 %

Revenues from resellers that do not contribute to Universal Service support mechanisms are included in Block 4-B, Line 420 but may be excluded from a filer's TRS, NANPA, LNP, and FCC interstate telephone service provider regulatory fee contribution bases. To have these amounts excluded, the filer has the option of identifying such revenues below.

Revenues from resellers that do not contribute to Universal Service

Total Revenues (a)
Interstate and International (b)
\$

PERSONS MAKING WILLFUL FALSE STATEMENTS IN THE WORKSHEET CAN BE PUNISHED BY FINE OR IMPRISONMENT UNDER TITLE 18 OF THE UNITED STATES CODE, 18 U.S.C. §1001

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04 FCC Form 499-A Telecommunications Reporting Worksheet

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Block 6: CERTIFICATION: to be signed by an officer of the filer

01 Filer 499 ID (from Line 101)

NEW

02 Legal name of reporting entity (from Line 102)

HELLER INFORMATION SERVICES, INC.

Section IV of the instructions provides information on which types of reporting entities are required to file for which purposes. Any entity claiming to be exempt from one or more contribution requirements should so certify below and attach an explanation. [The Universal Service Administrator will determine which entities meet the *de minimis* threshold based on information provided in Block 4, even if you fail to so certify, below.]

03 I certify that the reporting entity is exempt from contributing to:

Universal Service ☐

TRS ☐

NANPA ☐

LNP Administration ☐

Provide explanation below:

04 Please indicate whether the reporting entity is

State or Local Government Entity ☐

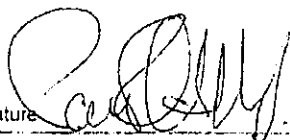
I.R.C. § 501 Tax Exempt ☐

PUHCA § 34 (a)(1) Exempt ☐

05 I certify that the revenue data contained herein are privileged and confidential and that public disclosure of such information would likely cause substantial harm to the competitive position of the company. I request nondisclosure of the revenue information contained herein pursuant to Sections 0.459, 52.17, 54.711 and 64.604 of the Commission's Rules. ☒

I certify that I am an officer of the above-named reporting entity, that I have examined the foregoing report and, to the best of my knowledge, information and belief, all statements of fact contained in this Worksheet are true and that said Worksheet is an accurate statement of the affairs of the above-named company for the previous calendar year. In addition, I swear, under penalty of perjury, that all requested identification registration information has been provided and is accurate. If the above-named reporting entity is filing on a consolidated basis, I certify that this filing incorporates all of the revenues for the consolidated entities for the entire year and that the filer adhered to and continues to meet the conditions set forth in Section II-B of the instructions.

06 Signature



07 Printed name of officer

PAUL HELLER

08 Position with reporting entity

PRESIDENT

09 Business telephone number of officer

(301) 255-0500

10 E-mail of officer

paul@his.com

11 Date

01/23/2006

12 Check those that apply:

☐ Original April 1 filing for year

☒ New filer, registration only

☐ Revised filing with updated registration

☐ Revised filing with updated revenue data

Do not mail checks with this form. Send this form to: Form 499 Data Collection Agent c/o NECA, 80 South Jefferson Road, Whippany, New Jersey 07981

For additional information regarding this worksheet contact: Telecommunications Reporting Worksheet information: (973) 560-4460 or via e-mail: Form499@universalservice.org

PERSONS MAKING WILLFUL FALSE STATEMENTS IN THE WORKSHEET CAN BE PUNISHED BY FINE OR IMPRISONMENT UNDER TITLE 18 OF THE UNITED STATES CODE, 18 U.S.C. §1001

For information on filing electronically go to

<http://form499.universalservice.org/>

FCC Form 499-A
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2004 FCC Form 499-A Telecommunications Reporting Worksheet

>>> Please read instructions before completing. <<<

Annual Filing - due April 1.

Approval by OMB
3060-0855

Block 1: Contributor Identification Information

During the year, carriers must refile Blocks 1, 2 and 6 if there are any changes in Lines 104 or 112. See Instructions.

101 Filer 499 ID [If you don't know your number, contact the administrator at (973)-580-4460.

If you are a new filer, write "new" in this block and a Filer 499 ID will be assigned to you.]

0014639215

102 Legal name of reporting entity

HELLER INFORMATION SERVICES, INC.

103 IRS employer identification number

52-1617802

104 Name telecommunications service provider is doing business as

HELLER INFORMATION SERVICES, INC.

105 Telecommunications activities of filer [Select up to 5 boxes that best describe the reporting entity. Enter numbers starting with "1" to show the order of importance - see directions]

- | | | | |
|--|--|--|--|
| <input type="checkbox"/> All Distance | <input type="checkbox"/> CAP/CLEC | <input type="checkbox"/> Cellular/PCS/SMR (wireless telephony incl. by resale) | <input type="checkbox"/> Coaxial Cable |
| <input type="checkbox"/> Incumbent LEC | <input type="checkbox"/> Interexchange Carrier (IXC) | <input checked="" type="checkbox"/> 1 Local Reseller | <input type="checkbox"/> Operator Service Provider (OSP) |
| <input type="checkbox"/> Payphone Service Provider | <input type="checkbox"/> Prepaid Card | <input type="checkbox"/> Private Service Provider | <input type="checkbox"/> Paging & Messaging |
| <input type="checkbox"/> Shared-Tenant Service Provider / Building LEC | <input type="checkbox"/> SMR (dispatch) | <input type="checkbox"/> Toll Reseller | <input type="checkbox"/> Satellite Service Provider |
| If Other Local, Other Mobile or Other Toll is checked, describe carrier type / services provided: -> | | <input type="checkbox"/> Other Local | <input type="checkbox"/> Wireless Data |
| | | <input type="checkbox"/> Other Mobile | <input type="checkbox"/> Other Toll |

106 a Holding company name (All affiliated companies must show the same name on this line.)

N/A

106 b Holding company IRS employer identification number

N/A

107 FCC Registration Number (FRN) [<https://svartifoss2.fcc.gov/cores/CoresHome.html>]
[For assistance, contact the CORES help desk at 877-480-3201 or CORES@fcc.gov]

0014639215

108 Management company [if carrier is managed by another entity]

N/A

109 Complete mailing address of reporting entity
corporate headquarters

30 WEST GUDE ROAD, STE 220
ROCKVILLE, MD 20850

110 Complete business address for customer inquiries and complaints
[if different from address entered on Line 109]

SAME

111 Telephone number for customer complaints and inquiries [Toll-free number if available]

(301) 255-0500

112 All trade names that you have used in the past 3 years in providing telecommunications.

This should include all names by which you are identified on customer bills.

a HELLER INFORMATION SERVICES, INC.

g

b

h

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k

f

l

m

Use an additional sheet if necessary. Each reporting entity must provide all names used for carrier activities.

PERSONS MAKING WILLFUL FALSE STATEMENTS IN THE WORKSHEET CAN BE PUNISHED BY FINE OR IMPRISONMENT UNDER TITLE 18 OF THE UNITED STATES CODE, 18 U.S.C. §1001

FCC Form 499-A
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2004 FCC Form 499-A Telecommunications Reporting Worksheet**Block 2-A: Regulatory Contact Information**

201 Filer 499 ID [from Line 101]	0014639215
202 Legal name of reporting entity [from Line 102]	HELLER INFORMATION SERVICES, INC.
203 Person who completed this Worksheet	MOSES ALADE, CPA
204 Telephone number of this person	(301) 497-9973
205 Fax number of this person	(301) 497-9974
206 E-mail of this person	mosesa@mosesalade.com
207 Corporate office, attn. name, and mailing address to which future Telecommunications Reporting Worksheets should be sent	PAUL HELLER 30 WEST GUDE DRIVE ROCKVILLE, MD 20850
208 Billing address and billing contact person: [Plan administrators will send bills for contributions to this address. Please attach a written request for alternative billing arrangements.]	PAUL HELLER 30 WEST GUDE DRIVE ROCKVILLE, MD 20850

Block 2-B: Agent for Service of Process

All carriers must complete Lines 209 through 213.

During the year, carriers must refile Blocks 1, 2 and 6 if there are any changes in this section. See Instructions.

209 D.C. Agent for Service of Process per 47 U.S.C. §413	
210 Telephone number of D.C. agent	
211 Fax number of D.C. agent	
212 E-mail of D.C. agent	
213 Complete business address of D.C. agent for hand service of documents	
214 Local/alternate Agent for Service of Process (optional)	HEATHER HELLER
215 Telephone number of local/alternate agent	(301) 255-0502
216 Fax number of local/alternate agent	(301) 424-4635
217 E-mail of local/alternate agent	heather@his.com
218 Complete business address of local/alternate agent for hand service of documents	30 WEST GUDE DR, STE 220 ROCKVILLE, MD 20850-1161

PERSONS MAKING WILLFUL FALSE STATEMENTS IN THE WORKSHEET CAN BE PUNISHED BY FINE OR IMPRISONMENT UNDER TITLE 18 OF THE UNITED STATES CODE, 18 U.S.C. §1001

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2004 FCC Form 499-A Telecommunications Reporting Worksheet

Block 2-C: FCC Registration and Contact Information

Carriers must refile Blocks 1, 2 and 6
if there are any changes in this section. See Instructions.

219 Filer 499 ID [from Line 101]

0014639215

220 Legal name of reporting entity [from Line 102]

HELLER INFORMATION SERVICES, INC.

221 Chief Executive Officer (or, highest ranking company officer
if the filing entity does not have a chief executive officer)

PAUL HELLER

222 Business address of individual named on Line 221

check if same as Line 109 ☒

223 Second ranking company officer, such as Chairman
(Must be someone other than the individual listed on Line 221)

DIANE HELLER

224 Business address of individual named on Line 223

check if same as Line 109 ☒

225 Third ranking company officer, such as President or Secretary
(Must be someone other than individuals listed on
Lines 221 or 223)

HEATHER HELLER

226 Business address of individual named on Line 225

check if same as Line 109 ☒

227 Indicate jurisdictions in which the filing entity provides telecommunications service. Include jurisdictions in which telecommunications service was provided in the past 15 months
and jurisdictions in which telecommunications service is likely to be provided in the next 12 months.

- | | | | | |
|--|--|--|---|--|
| <input type="checkbox"/> Alabama | <input type="checkbox"/> Guam | <input type="checkbox"/> Massachusetts | <input type="checkbox"/> New York | <input type="checkbox"/> Tennessee |
| <input type="checkbox"/> Alaska | <input type="checkbox"/> Hawaii | <input type="checkbox"/> Michigan | <input type="checkbox"/> North Carolina | <input type="checkbox"/> Texas |
| <input type="checkbox"/> American Samoa | <input type="checkbox"/> Idaho | <input type="checkbox"/> Midway Atoll | <input type="checkbox"/> North Dakota | <input type="checkbox"/> Utah |
| <input type="checkbox"/> Arizona | <input type="checkbox"/> Illinois | <input type="checkbox"/> Minnesota | <input type="checkbox"/> Northern Mariana Islands | <input type="checkbox"/> U.S. Virgin Islands |
| <input type="checkbox"/> Arkansas | <input type="checkbox"/> Indiana | <input type="checkbox"/> Mississippi | <input type="checkbox"/> Ohio | <input type="checkbox"/> Vermont |
| <input type="checkbox"/> California | <input type="checkbox"/> Iowa | <input type="checkbox"/> Missouri | <input type="checkbox"/> Oklahoma | <input checked="" type="checkbox"/> Virginia |
| <input type="checkbox"/> Colorado | <input type="checkbox"/> Johnston Atoll | <input type="checkbox"/> Montana | <input type="checkbox"/> Oregon | <input type="checkbox"/> Wake Island |
| <input type="checkbox"/> Connecticut | <input type="checkbox"/> Kansas | <input type="checkbox"/> Nebraska | <input type="checkbox"/> Pennsylvania | <input type="checkbox"/> Washington |
| <input type="checkbox"/> Delaware | <input type="checkbox"/> Kentucky | <input type="checkbox"/> Nevada | <input type="checkbox"/> Puerto Rico | <input type="checkbox"/> West Virginia |
| <input checked="" type="checkbox"/> District of Columbia | <input type="checkbox"/> Louisiana | <input type="checkbox"/> New Hampshire | <input type="checkbox"/> Rhode Island | <input type="checkbox"/> Wisconsin |
| <input type="checkbox"/> Florida | <input type="checkbox"/> Maine | <input type="checkbox"/> New Jersey | <input type="checkbox"/> South Carolina | <input type="checkbox"/> Wyoming |
| <input type="checkbox"/> Georgia | <input checked="" type="checkbox"/> Maryland | <input type="checkbox"/> New Mexico | <input type="checkbox"/> South Dakota | |

PERSONS MAKING WILLFUL FALSE STATEMENTS IN THE WORKSHEET CAN BE PUNISHED BY FINE OR IMPRISONMENT UNDER TITLE 18 OF THE UNITED STATES CODE, 18 U.S.C. §1001

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Block 3: Carrier's Carrier Revenue Information

301 Filer 499 ID [from Line 101]	0014639215			
302 Legal name of reporting entity [from Line 102]	HELLER INFORMATION SERVICES, INC.			
Report billed revenues for January 1 through December 31, 2003. Do not report any negative numbers. Dollar amounts may be rounded to the nearest thousand dollars. However, report all amounts as whole dollars.	Total Revenues	If breakouts are not book amounts, enter whole percentage estimates		Breakouts
	(a)	Interstate (b)	International (c)	Interstate Revenues (d) International Revenues (e)

See instructions regarding percent interstate & international.

Revenues from Services Provided for Resale by Other Contributors to Federal Universal Service Support Mechanisms

Fixed local service

303 Monthly service, local calling, connection charges, vertical features, and other local exchange service including subscriber line and PCCC charges to IXC's					
a Provided as unbundled network elements (UNEs)	\$0	0	0	\$0	
b Provided under other arrangements	\$0	0	0	\$0	
304 Per-minute charges for originating or terminating calls					
a Provided under state or federal access tariff	\$0	0	0	\$0	
b Provided as unbundled network elements or other contract arrangement	\$0	0	0	\$0	
305 Local private line & special access service	\$0	0	0	\$0	
306 Payphone compensation from toll carriers	\$0	0	0	\$0	
307 Other local telecommunications service revenues	\$0	0	0	\$0	
308 Universal service support revenues received from Federal or state sources	\$0	0	0	\$0	

Mobile services (including wireless telephony, paging & messaging and other mobile services)

309 Monthly, activation, and message charges except toll	\$0	0	0	\$0	
Toll services					
310 Operator and toll calls with alternative billing arrangements (credit card, collect, international call-back, etc.)	\$0	0		\$0	
311 Ordinary long distance (direct-dialed MTS, customer toll-free (800/888 etc.) service, "10-10" calls, associated monthly account maintenance, PCCC pass-through, and other switched services not reported above)	\$0	0		\$0	
312 Long distance private line services	\$0	0		\$0	
313 Satellite services	\$0	0		\$0	
314 All other long distance services					

PERSONS MAKING WILLFUL FALSE STATEMENTS IN THE WORKSHEET CAN BE PUNISHED BY FINE OR IMPRISONMENT UNDER TITLE 18 OF THE UNITED STATES CODE, 18 U.S.C. §1001

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2004 FCC Form 499-A Telecommunications Reporting Worksheet

Block 4-A: End-User and Non-Telecommunications Revenue Information

401 Filer 499 ID (from Line 101)		0014639215				
402 Legal name of reporting entity (from Line 102)		HELLER INFORMATION SERVICES, INC.				
Report billed revenues for January 1 through December 31, 2003. Do not report any negative numbers. Dollar amounts may be rounded to the nearest thousand dollars. However, report all amounts as whole dollars. See instructions regarding percent interstate & international.						
		Total Revenues	If breakouts are not book amounts, enter whole percentage estimates		Breakouts	
			Interstate	International	Interstate Revenues	International Revenues
		(a)	(b)	(c)	(d)	(e)
Revenues from All Other Sources (end-user telecom. & non-telecom.)						
403 Surcharges or other amounts on bills identified as recovering State or Federal universal service contributions						
Fixed local services						
404 Monthly service, local calling, connection charges, vertical features, and other local exchange service charges except for federally tariffed subscriber line charges and PCCC charges						
a Provided at a flat rate including interstate toll service		\$0			\$0	
b Provided without interstate toll included (see instructions)		\$0			\$0	
405 PCCC charges levied by a local exchange carrier on a no-PIC customer and tariffed subscriber line charges		\$0			\$0	
406 Local private line and special access service		\$94,471			\$94,471	
407 Payphone coin revenues (local and long distance)		\$0			\$0	
408 Other local telecommunications service revenues		\$0			\$0	
Mobile services (including wireless telephony, paging & messaging, and other mobile services)						
409 Monthly and activation charges		\$0			\$0	
410 Message charges including roaming, but excluding toll charges		\$0			\$0	
Toll services						
411 Prepaid calling card (including card sales to customers and non-carrier distributors) reported at face value of cards		\$0			\$0	
412 International calls that both originate and terminate in foreign points		\$0	0%	100%		
413 Operator and toll calls with alternative billing arrangements (credit card, collect, international call-back, etc.) other than revenues reported on Line 412		\$0			\$0	
414 Ordinary long distance (direct-dialed MTS, customer toll-free (800/888 etc.) service, "10-10" calls, associated monthly account maintenance, PCCC pass-through, and other switched services not reported above)		\$0			\$0	
415 Long distance private line services		\$0			\$0	
416 Satellite services		\$0			\$0	
417 All other long distance services		\$0			\$0	
418 Revenues other than U.S. telecommunications revenues. Information services, inside wiring maintenance, billing and collection customer premises equipment, published directory, dark fiber, Internet access, cable TV program transmission, foreign carrier operations, and non-telecommunications revenues (See instructions.)		\$1,186,681				

PERSONS MAKING WILLFUL FALSE STATEMENTS IN THE WORKSHEET CAN BE PUNISHED BY FINE OR IMPRISONMENT UNDER TITLE 18 OF THE UNITED STATES CODE, 18 U.S.C. §1001

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4 FCC Form 499-A Telecommunications Reporting Worksheet

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4-B: Total Revenue and Uncollectible Revenue Information

	Total Revenues (a)	Breakouts	
		Interstate Revenues (d)	International Revenues (e)
1 Gross billed revenues from all sources [incl. reseller & non-telecom.] [Lines 303 through 314 plus Lines 403 through 418]	\$1,281,152	\$1,281,152	
2 Universal service contribution base amounts [Lines 403 through 411 & Lines 413 through 417] See Figure 4 in instructions.	\$94,471	\$94,471	
3 Uncollectible revenue/bad debt expense associated with gross billed revenues amounts shown on Line 419	\$0	\$0	
4 Uncollectible revenue/bad debt expense associated with universal service contribution base amounts shown on Line 420	\$0	\$0	
5 Net universal service contribution base revenues [Line 420 minus line 422]	\$94,471	\$94,471	

5: Additional Revenue Breakouts

1 Filer 499 ID [from Line 101]

0014639215

2 Legal name of reporting entity [from Line 102]

HELLER INFORMATION SERVICES, INC.

3 Filers must contribute to LNP administration and must provide the percentages requested in Lines 503 through 510.

4 Entities that use Line 603 to certify that they are exempt from this requirement need not provide this information.

5 Percentage of revenues reported in Block 3 and Block 4 billed in each region of the country. Round or estimate to nearest whole percentage. Enter 0 if no service was provided in the region.

		Block 3 Carrier's Carrier (a)	Block 4 End-User Telecom. (b)
6 Southeast:	Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, Puerto Rico, South Carolina, Tennessee, and U.S. Virgin Islands	%	
7 Western:	Alaska, Arizona, Colorado, Idaho, Iowa, Minnesota, Montana, Nebraska, New Mexico, North Dakota, Oregon, South Dakota, Utah, Washington, and Wyoming	%	
8 West Coast:	California, Hawaii, Nevada, American Samoa, Guam, Johnston Atoll, Midway Atoll, Northern Mariana Islands, and Wake Island.	%	
9 Mid-Atlantic:	Delaware, District of Columbia, Maryland, New Jersey, Pennsylvania, Virginia, and West Virginia	0 %	0
0 Mid-West:	Illinois, Indiana, Michigan, Ohio, and Wisconsin	%	
1 Northeast:	Connecticut, Maine, Massachusetts, New Hampshire, New York, Rhode Island, and Vermont	%	
2 Southwest:	Arkansas, Kansas, Missouri, Oklahoma, and Texas	%	
3 Total	[Percentages must add to 0 or 100.]	0 %	0

4 Revenues from resellers that do not contribute to Universal Service support mechanisms are included in Block 4-B, Line 420 but may be excluded from a filer's TRS, NANPA, LNP, and FCC interstate telephone service provider regulatory fee contribution bases. To have these amounts excluded, the filer has the option of identifying such revenues below.

	(a) Total Revenues	(b) Interstate and International
Revenues from resellers that do not contribute to Universal Service	\$	\$

PERSONS MAKING WILLFUL FALSE STATEMENTS IN THE WORKSHEET CAN BE PUNISHED BY FINE OR IMPRISONMENT UNDER TITLE 18 OF THE UNITED STATES CODE, 18 U.S.C. §1001

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2004 FCC Form 499-A Telecommunications Reporting Worksheet

Block 6: CERTIFICATION: to be signed by an officer of the filer

801 Filer 499 ID [from Line 101]

0014639215

602 Legal name of reporting entity [from Line 102]

HELLER INFORMATION SERVICES, INC.

Section IV of the instructions provides information on which types of reporting entities are required to file for which purposes. Any entity claiming to be exempt from one or more contribution requirements should so certify below and attach an explanation. [The Universal Service Administrator will determine which entities meet the *de minimis* threshold based on information provided in Block 4, even if you fail to so certify, below.]

803 I certify that the reporting entity is exempt from contributing to:

Universal Service ☒

TRS ☐

NANPA ☐

LNP Administrator ☐

Provide explanation below:

BASED ON THE COMPUTATION ON FIGURE 1, THE COMPANY IS EXEMPT UNDER THE DEMINIMIS RULE

604 Please indicate whether the reporting entity is

State or Local Government Entity ☐

I.R.C. § 501(c)(3) Tax Exempt ☐

PUHCA § 34 (a)(1) Exempt ☐

605 I certify that the revenue data contained herein are privileged and confidential and that public disclosure of such information would likely cause substantial harm to the competitive position of the company. I request nondisclosure of the revenue information contained herein pursuant to Sections 0.459, 52.17, 54.711 and 64.604 of the Commission's Rules.

I certify that I am an officer of the above-named reporting entity, that I have examined the foregoing report and, to the best of my knowledge, information and belief, all statements of fact contained in this Worksheet are true and that said Worksheet is an accurate statement of the affairs of the above-named company for the previous calendar year. In addition, I swear, under penalty of perjury, that all requested identification registration information has been provided and is accurate. If the above-named reporting entity is filing on a consolidated basis, I certify that this filing incorporates all of the revenues for the consolidated entities for the entire year and that the filer adhered to and continues to meet the conditions set forth in Section II-B of the instructions.

606 Signature

607 Printed name of officer

PAUL HELLER

608 Position with reporting entity

PRESIDENT

609 Business telephone number of officer

(301) 255-0500

610 E-mail of officer

paul@his.com

611 Date

612 Check those that apply:

☐ Original April 1 filing for year

☐ New filer, registration only

☐ Revised filing with updated registration

☒ Revised filing with updated revenue

Do not mail checks with this form. Send this form to: Form 499 Data Collection Agent c/o NECA, 80 South Jefferson Road, Whippany, New Jersey 07981

For additional information regarding this worksheet contact: Telecommunications Reporting Worksheet information: (973) 560-4460 or via e-mail: Form499@universalservice.org

PERSONS MAKING WILLFUL FALSE STATEMENTS IN THE WORKSHEET CAN BE PUNISHED BY FINE OR IMPRISONMENT UNDER TITLE 18 OF THE UNITED STATES CODE, 18 U.S.C. §1001

For information on filing electronically go to

<http://form499.universalservice.org/>

FCC Form 499-A
April 2004

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USAC

Universal Service Administrative Company

June 09, 2006

Attn: Moses Alade
Heller Information Service, Inc.
30 West Gude Road
Suite 220
Rockville, MD 20850

Form 499 Filer ID: 825704

RE: 2004 FCC Form 499-A Revision Rejection

The Universal Service Administrative Company (USAC) has completed a review of the Revised FCC Form 499-A that you submitted for the purpose of revising revenue reported by 825704 Heller Information Service, Inc. for the period 2003. Based on the information provided, we are unable to accept the revision because it was not filed within one year of the original submission.

If you wish to appeal this decision with USAC, your appeal must be postmarked no later than 60 days after the date of USAC's rejection letter. Appeals postmarked after 60 days from the date of this letter will be automatically dismissed.

In the event that you choose to appeal the decision, you should follow these guidelines:

- Write a "Letter of Appeal to USAC" explaining why you disagree with this Form 499-Q rejection letter and identify the outcome that you request.
- Be sure to refer to CC Docket No. 96-45 on all communication with the FCC.
- The appeal must identify the "Legal Reporting Name" and "Filer 499 ID".
- Provide necessary contact information. Please list the name, address, telephone number, fax number, and e-mail address (if available) of the person who can most readily discuss this appeal with USAC.
- Explain the appeal to the USAC. Please provide documentation to support your appeal.
- Attach a photocopy of this Revised Form 499-Q Rejection decision that you are appealing.
- Mail your letter to:
Letter of Appeal
USAC
2000 L Street, NW, Suite 200
Washington, DC 20036
- **Appeals submitted by fax, telephone call, and e-mail will not be processed.**

The response will indicate whether USAC:

- Agrees with your letter of appeal, and approves an outcome that is different from the Revised Form 499-Q Rejection Letter; or
- Disagrees with your letter of appeal, and the reasons therefore.

If you disagree with USAC's response to your "letter of appeal," you may file an appeal with the FCC within 60 days of the date USAC issued its decision in response to your "Letter of Appeal." Again, please note your appeal must be postmarked no later than 60 days after the date of the Appeal Decision. Appeals postmarked after 60 days from the date of USAC's response to your appeal will be automatically dismissed. The FCC rules governing the appeals process (Part 54 of Title 47 of the Code of Federal Regulations 54.719 – 54.725) are available on the FCC web site (www.fcc.gov).

Please be sure to refer to CC Docket No. 96-45 on all communication with the FCC. The appeal must also provide your company's name and Filer ID, plus necessary contact information, including the name, address, telephone number, fax number, and e-mail address of the person filing the appeal. Unless the appeal is by ECFS, please include a copy of the decision at issue.

Appeals submitted via the United States Postal Service, should be sent to the address below (For security purposes, hand-delivered or messenger-delivered documents will not be accepted at this Washington, DC address):

Federal Communications Commission
Office of the Secretary
445 – 12th Street, SW
Room TW-A325
Washington, DC 20554

Documents sent by hand-delivery or messenger should be sent to the following address:

Federal Communications Commission
Office of the Secretary
9300 East Hampton Drive
Capitol Heights, MD 20743
(8:00 A.M. – 5:30 P.M. ET)

Appeals may also be submitted to the FCC electronically, either by the Electronic Comment Filing System (ECFS) or by fax. The FCC recommends filing with the ECFS to ensure timely filing. Instructions for using ECFS can be found on the ECFS page of the FCC web site. Appeals to the FCC filed by fax must be faxed to 202-418-0187. Electronic appeals will be considered filed on a business day if they are received at any time before 12:00 A.M. (midnight), Eastern Standard Time. Fax transmissions will be considered filed on a business day if the complete transmission is received at any time before 12:00 A.M.

If you have questions or concerns regarding this letter, please contact USAC Customer Service at (888) 641-8722 Option 1, Option 2.

Sincerely,

USAC



Heller Information Services

Attachment No. 4

Contingent Petition for Review

Letter of Appeal

August 8, 2006

USAC
2000 L Street NW, Suite 200
Washington, DC 20036

RE: 2004 FCC Form 499-A Revision Rejection
CC Docket No. 96-45
Legal Reporting Name: Heller Information Services, Inc.
Filer 499 ID: 825704

To Whom it may concern:

This letter is to appeal the rejection, on the basis that it was filed more than one year after the original submission, of our Revised FCC Form 499-A. The revision was actually submitted on 5/25/2006, less than one month after our original incorrect submittal of 4/28/2006.

Heller Information Services is an internet service provider focusing primarily on web hosting and email services. We resell a decreasing number of DSL circuits provided by Verizon. Verizon informed us in January of 2006 that we had to begin filing form 499-A.

On advice of our accountant, we submitted our filing for 2004 on 4/28/2006. Unfortunately, our accountant secured incorrect sales information from our bookkeeper, who incorrectly assumed that one third of our gross sales related to DSL services rather than using the actual figures for DSL services, which are far smaller.

Attached are the sales figures resulting from the DSL lines purchased from Verizon, listed by the dates of service covered.

The revenue resulting for the year 2003 was \$128,879.78. This is different than previously reported.

The revenue in year 2004 was \$92,482.15, qualifying for a de minimus filing.
The revenue in year 2005 was \$65,918.25, also qualifying for a de minimus filing.

Our DSL revenue for 2006 will be smaller than for 2005 because we stopped offering this product to new customers in 2004 and most customers have cancelled their accounts in favor of lower-cost or faster access purchased from other providers.

Contact Information: Paul R. Heller
30 West Gude Dr., Suite 220
Rockville, MD 20850
Office #: 301-255-0501
Fax # 301-424-4635
Email: ph@his.com



Administrator's Decision on Contributor Appeal

May 21, 2007

BY CERTIFIED MAIL

Paul R. Heller
Heller Information Services, Inc.
30 West Gude Drive, Suite 220
Rockville, MD 20850

Re: Heller Information Services, Inc. (Filer ID #825704)

Dear Mr. Heller:

The Universal Service Administrative Company (USAC) has completed an evaluation of the letter of appeal submitted on behalf of Heller Information Services, Inc. (Heller), dated August 8, 2006 (Appeal). Your Appeal requests USAC's acceptance of a revised Telecommunications Reporting Worksheet (Worksheet) reporting revenue for 2003.

Procedural Background

On December 9, 2004, the Federal Communications Commission issued the *Form 499-A Revision Order*,¹ which, among other things, adopted a one-year deadline for revisions to Worksheets. Because the *499-A Revision Order* became effective after the filing deadline for the Worksheet reporting 2003 revenue, which was April 1, 2004, contributors were permitted to submit revised Worksheets that would result in a decreased universal service obligation for 2003 only, up to twelve months following the effective date of the Order. The Worksheet had a due date of April 1, 2004 and a revision deadline of January 10, 2006 for submissions which would result in a decrease in universal service contribution obligations.²

¹ See *Federal-State Joint Board on Universal Service; 1998 Biennial Regulatory Review – Streamlined Contributor Reporting Requirements Associated with Administration of Telecommunications Relay Service, North American Numbering Plan, Local Number Portability, and Universal Service Support Mechanisms; Changes to the Board of Directors of the National Exchange Carrier Association, Inc.*, CC Docket Nos. 96-45, 98-71, 97-21, Order, DA 04-3669, 20 FCC Rcd 1012 (2004) (*Form 499-A Revision Order*).

² See *id.*

Paul R. Heller
May 21, 2007
Page 2 of 2

On February 13, 2006, Heller filed a Worksheet, reporting 2003 revenue, which USAC processed. USAC relied on revenue as reported by Heller on this Worksheet and posted adjustments reflecting Heller's 2003 universal service obligation of \$108,891.18 to Heller's April, May, and June 2006 invoices.

Heller submitted a revised Worksheet on May 23, 2006, which, if processed, would decrease Heller's universal service contributions. The deadline for filing downward revisions had expired on January 10, 2006, and USAC rejected the revised Worksheet for failure to file within one year of the original submission.³

Decision on Appeal: Denied

Heller submitted the revised Worksheet after the January 10, 2006 deadline for submitting revisions to this form resulting in downward adjustments of universal service contribution obligations established by the *Form 499-A Revision Order*.

Although not referenced in Heller's appeal, because USAC's review indicates late filing fees for the February 1, 2005, May 2, 2005 and August 1, 2005 Worksheets, each in the amount of \$100, were incorrectly assessed, USAC will reverse these charges and reflect the corrections on Heller's June 2007 invoice.

If you wish to further appeal this decision, you may file an appeal with the FCC. Detailed instructions for filing appeals are available at:

<http://www.universalservice.org/fund-administration/contributors/file-appeal>

Sincerely,

USAC

cc: Regina Dorsey, FCC Office of Managing Director
Hillary DeNigro, FCC Enforcement Bureau
Trent Harkrader, FCC Enforcement Bureau

³ See USAC letter dated June 9, 2006. Although USAC's June 9, 2006 letter rejecting the Worksheet indicated the revision deadline was one year from the original date of submission, the *Form 499 Revision Order* had established a revision deadline of January 10, 2006 for the Worksheet reporting 2003 revenue only. Regardless of the clerical error contained in the rejection letter, USAC was correct in rejecting the revision because it was submitted after the January 10, 2006 deadline.

Certificate of Service

I hereby certify that on this 20th day of July, 2007, I caused copies of the foregoing pleading to be sent by first class United States mail, postage prepaid, to the following:

David Capozzi, Acting General Counsel
Universal Service Administrative Company
2000 L Street, N.W.
Suite 200
Washington, D.C. 20036

Regina Dorsey
Office of Managing Director
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, D.C. 20554

Hillary DiNigro
Enforcement Bureau
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, D.C. 20554

Trent Harkrader
Enforcement Bureau
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, D.C. 20554



Robert J. Keller

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Heller Information Services, Inc.)	USAC Filer ID No. 825704
)	
Request for Review of the Universal Service)	
Administrative Company's Rejection of a)	
Revised FCC Form 499-A for FY-2003)	

SUPPLEMENT TO CONTINGENT PETITION FOR REVIEW

Heller Information Services, Inc. ("Heller"), by its attorney, hereby supplements the *Contingent Petition for Review* being concurrently filed in the above-captioned matter. Attached are facsimile or conformed copies of three declarations in support of the pleading. Undersigned counsel has been advised that these declarations have been read by the affiants and are being signed today. The original signed declarations will be tendered to the Commission promptly upon receipt.

Respectfully submitted,

HELLER INFORMATION SERVICES, INC.



Telephone: 202-223-2100
Facsimile: 202-223-2121
Email: rjk@telcomlaw.com

By: Robert J. Keller, Its Attorney
Law Offices of Robert J. Keller, P.C.
P.O. Box 33428 – Farragut Station
Washington, D.C. 20033-0428

Certificate of Service

I hereby certify that on this 20th day of July, 2007, I caused copies of the foregoing pleading to be sent by first class United States mail, postage prepaid, to the following:

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Revised FCC Form 499-A for FY-2003)	

DECLARATION OF PAUL HELLER

I, Paul Heller, an officer of Heller Information Services, Inc., hereby depose and state that I have reviewed the final draft of the foregoing *Contingent Petition for Review* being submitted to the Federal Communications Commission on July 20, 2007, in connection with the above-captioned matter; that I am personally familiar with the matters addressed in that pleading; and that the factual statements made therein are true and correct of my personal knowledge, save and except matters of which official notice may be taken.

I hereby certify on this 20th day of July 2006, under penalty of perjury, that the foregoing statements are true and correct of my personal knowledge and are made in good faith.

/s/ Paul Heller
Paul Heller

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Heller Information Services, Inc.)	USAC Filer ID No. 825704
)	
Request for Review of the Universal Service)	
Administrative Company's Rejection of a)	
Revised FCC Form 499-A for FY-2003)	

DECLARATION OF DIANE HELLER

I, Diane Heller, an officer of Heller Information Services, Inc., hereby depose and state that I have reviewed the final draft of the foregoing *Contingent Petition for Review* being submitted to the Federal Communications Commission on July 20, 2007, in connection with the above-captioned matter; that I am personally familiar with the matters addressed in that pleading; and that the factual statements made therein are true and correct of my personal knowledge, save and except matters of which official notice may be taken.

I hereby certify on this 20th day of July 2006, under penalty of perjury, that the foregoing statements are true and correct of my personal knowledge and are made in good faith.

/s/ Diane Heller
Diane Heller

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Heller Information Services, Inc.)	USAC Filer ID No. 825704
)	
Request for Review of the Universal Service)	
Administrative Company's Rejection of a)	
Revised FCC Form 499-A for FY-2003)	

DECLARATION OF MOSES ALADE

I, Moses Alade, the principal of Moses Alade & Associates, Certified Public Accountants, hereby depose and state that: I provide accounting services for Heller Information Services, Inc.; I have reviewed the final draft of the foregoing *Contingent Petition for Review* being submitted to the Federal Communications Commission on July 20, 2007, in connection with the above-captioned matter; that I am personally familiar with the factual statements regarding my actions set forth in paragraphs 5 through 7 of that pleading; and that such factual statements are true and correct of my personal knowledge, save and except matters of which official notice may be taken.

I hereby certify on this 20th day of July 2006, under penalty of perjury, that the foregoing statements are true and correct of my personal knowledge and are made in good faith.

/s/ *Moses Alade*
Moses Alade, C.P.A.